

BIENERT, MILLER & KATZMAN

A Professional Law Corporation

June 22, 2018

VIA ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY, 10007-1312

Re: *United States v. Bergstein et al*, Case No. 16-cr-746-PKC-1

Dear Judge Castel:

We write to address excerpts of certain recordings of monitored calls the government cites in its sentencing memorandum. *See* Dkt. 409, at 36. The government has taken quotes from a call Mr. Bergstein had with a long-time friend, who is clearly distraught over Mr. Bergstein's incarceration, out of context and grossly mischaracterized them. We anticipate this will be one of the issues discussed at the hearings scheduled for next week, but we ask the Court to listen to the recording in its entirety before then so that it may fully appreciate the context of these quotes. The Court may access the recording at the below link:



Respectfully Submitted,

BIENERT, MILLER & KATZMAN, PLC

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